

**ORIGINAL**

Mar 04 2008 7:30PM Greenfield, Pusateri, Ruh 516-522-2566

p. 15

STANTON

**Exhibit D****UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK****LYONS PARTNERSHIP, L.P. and HIT  
ENTERTAINMENT, INC.****Plaintiffs,****v.****PARTY ART PRODUCTIONS INC., ROBERTA  
HERMAN, PHILIP HERMAN, PARTY POOPERS,  
INC., MARLA MASE, 57TH STREET PARTY  
CORP. D/B/A SAVE THE DATE, JENNIFER  
GILBERT, THE MAGIC AGENCY INC., SHELLEY  
CARROLL, and ERIC SILVEY D/B/A ERIC SILVEY  
ENTERTAINMENT,****Defendants.**

-X

:

:

:

:

:

:

:

:

:

:

:

:

:

:

-X

**07 Civ. 7121 (LLS)(THK)****STIPULATED DISMISSAL  
WITH PREJUDICE**

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
ELECTRONICALLY FILED
DOC #
DATE FILED: 4/16/08

**WHEREAS**, Lyons Partnership, L.P. and HIT Entertainment, Inc. (collectively, "Plaintiffs") and Defendant Eric Silvey d/b/a Eric Silvey Entertainment ("Silvey") have settled the above-captioned matter; and

**WHEREAS**, this Court has ordered entry of a Stipulated Permanent Injunction against Silvey;

**IT IS HEREBY STIPULATED** by and between Plaintiffs, through their counsel, and Silvey, through his counsel, that Silvey shall be dismissed with prejudice from Plaintiffs' Complaint pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, with each party to bear its own costs and attorney's fees.


Mar 04 2008 7:31PM Greenfield, Pusateri, Ruh 516-522-2566

p.16

IT IS FURTHER STIPULATED that the Honorable Louis L. Stanton, United States District Judge or his successor, shall retain jurisdiction to enforce the Settlement Agreement between Plaintiffs and Silvey and the Stipulated Permanent Injunction.

IT IS SO STIPULATED:

COWAN, DEBAETS, ABRAHAMS  
& SHEPPARD LLP

  
Toby M.J. Butterfield, Esq.  
Matthew A. Kaplan, Esq.

41 Madison Avenue, 34<sup>th</sup> Floor  
New York, New York 10010  
Telephone: (212) 974-7474  
Facsimile: (212) 974-8474

Attorneys for Plaintiffs

GREENFIELD, PUSATERI & RUHL

  
Brian J. Greenfield, Esq.

626 Rexcorp Plaza  
Uniondale, New York 11556  
Telephone: (516) 522-2565  
Facsimile: (516) 522-2566

Attorneys for Defendant Eric Silvey d/b/a  
Eric Silvey Entertainment

Dated: 4/10/08

Dated: 3/4/06

SO ORDERED

Dated: 4/15/08

  
HON. \_\_\_\_\_, U.S.D.J.